

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 9-10 were previously cancelled.

Claims 13, 18 and 23 are currently being amended.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-8 and 11-23 (24 claims) are now pending in this application.

Claim Rejections – 35 U.S.C. §112

On page 2, paragraph 2 of the Office Action, the Examiner has rejected claims 13, 18, 23-26 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention.

In response, Applicants have amended claims 13, 18 and 23 which Applicants submit are now definite and in compliance with 35 U.S.C. §112, paragraph two. Claims 24-26 depend from independent claim 23. Support for the amendments can be found at least in paragraph 0025 of the specification as originally filed. Applicants request withdrawal of the rejection of claims 13, 18, 23-26 under 35 U.S.C. §112, paragraph two.

The Applicants note that the claim amendments described above are intended to clarify the language used in the amended claims, and are in no way intended as limiting or to obtain patentability of such claims. Accordingly, it is believed by the Applicants that the amendments made to the claims in no way impair the ability of the Applicants to obtain the full scope of such claims as may be available under the Doctrine of Equivalents.

Claim Rejections – 35 U.S.C. §102

On page 2, paragraph 4 of the Office Action, the Examiner has rejected claims 11, 13, and 14 under 35 U.S.C. §102(a or e) as being anticipated by Kirejczyk (USPN: 6,536,164). Kirejczyk discloses that “this invention relates to a door module having a structural carrier which minimizes the tooling required for utilizing the door modules on different vehicle models.” (see col. 1, lines 7-10).

Claim 11 is in independent form and recites “a method of assembling a vehicle door having a non-structural carrier, trim panel, and a structural frame” comprising, in combination with other elements, a step of “removing the trim panel from the non-structural carrier” and “mounting the trim panel to the non-structural carrier.” Claims 13 and 14 depend from independent claim 11.

Kirejczyk does not disclose a “method of assembling a vehicle door having a non-structural carrier, trim panel and structural frame” comprising, among other elements, the steps of “removing the trim panel from the non-structural carrier” and mounting the trim panel to the non-structural carrier” as recited in independent claim 11. Kirejczyk, as stated above, is directed to a “door module having structural carrier.” (See Title) Kirejczyk refers to a door module having a “structural carrier” throughout the specification. (See at least col. 1, lines 38-40, col. 3, lines 19-20 and col. 3, lines 50-53.) The rejection of claim 11 over Kirejczyk is improper. Claim 11 is patentable over Kirejczyk.

Dependent claims 13 and 14 which depend from independent claim 11, are also patentable. See 35 U.S.C. §112, ¶4.

The Applicants respectfully request withdrawal of the rejection of claims 11, 13, and 14 under 35 U.S.C. §102(a or e).

Claim Rejections – 35 U.S.C. §103

On page 3, paragraph 7 of the Office Action, the Examiner has rejected claims 12 and 23-25 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk.

The Examiner states that “Kirejczyk discloses the step of removing the trim panel and installing the carrier. Placing the trim panel on a holding fixture during the carrier installation is an obvious expedient to one of ordinary skill in the art.”

Kirejczyk, as stated above, is directed to a “door module having structural carrier.” (See Title) Kirejczyk refers to a door module having a “structural carrier” throughout the specification. (See at least col. 1, lines 38-40, col. 3, lines 19-20 and col. 3, lines 50-53.)

Claim 12 is dependent upon independent claim 11. For at least the reasons stated above in response to the §102(a or e) rejection, Applicants submit that independent claim 11 is patentable over Kirejczyk. Since claim 12 depends from independent claim 11, independent claim 12 is also patentable. See 35 U.S.C. §112, ¶4.

Claim 23 is in independent form and recites a “method of assembling a vehicle door having a non-structural carrier, trim panel, and a structural frame” comprising, in combination with other elements, the steps of “removing the trim panel from the assembly line fixture” and “mounting the trim panel to the non-structural carrier.” Claims 24 and 25 depend from independent claim 23.

The “method of assembling a vehicle door having a non-structural carrier, a trim panel, and a structural frame” as recited in independent claim 23 would not have been obvious in view of Kirejczyk. Kirejczyk does not disclose, teach or suggest a “method of assembling a vehicle door having a non-structural carrier, a trim panel and a structural frame” comprising, in combination with other elements, the steps of “removing the trim panel from the assembly line fixture” and “mounting the trim panel to the non-structural carrier.” To transform the door module having a structure carrier of Kirejczyk into a method requiring a non-structural carrier as recited in independent claim 23 would require still further modification and such modification is taught only by the Applicants’ own disclosure.

Applicants submit that one ordinarily skilled in the art would not be compelled to look to Kirejczyk to obtain that which is disclosed and claimed in the present application since Kirejczyk requires a “structural carrier” and not a “non-structural carrier” as claimed in independent claim 23.

“The method of assembling a vehicle door having a non-structural carrier, a trim panel, and a structural frame” recited in independent claim 23, considered as a whole, would not have been obvious in view of Kirejczyk as suggested of the Examiner. The rejection of claim 23 over Kirejczyk under 35 U.S.C. §103(a) is improper. Therefore, claim 23 is patentable over Kirejczyk.

Dependent claims 24 and 25 which depend from independent claim 23 are also patentable. See 35 U.S.C. §112, ¶4.

Applicants respectfully request withdrawal of the rejection of claims 12, 23-25 under 35 U.S.C. §103(a).

On page 4, paragraphs 8 and 9 of the Office Action, the Examiner has rejected claims 1-6, 8, and 26 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk in view of Kameyama. The Examiner has also rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk in view of Kameyama as applied to claim 1 and further in view of Yazaki Corp. cited by Applicants as Kawamata.

The Examiner states that it would have been obvious to one of ordinary skill to provide in Kirejczyk a carrier interface member 3 and a door trim interface member 5 as taught by Kameyama as an example of a conventional attachment disclosed by Kirejczyk.

As stated above, Kirejczyk is directed to a “door module having structural carrier,” and further does not disclose a specific attachment of the door trim member to the structural carrier.

Kameyama is directed to a “door wiring harness connecting structure.” (See Title)

Claim 1 is in independent form and recites a “door module kit for transportation to location of assembly of a vehicle door,” comprising, in combination with other elements, “a non-structural substrate carrier.” Claims 2-8 depend from independent claim 1. Claim 26 depends from independent claim 23.

The door module kit recited in independent claim 1 would not have been obvious in view of Kirejczyk, alone or in any proper combination with Kameyama under 35 U.S.C. §103(a). Kirejczyk alone or in any proper combination with Kameyama does not disclose, teach or suggest a “door module kit” comprising, in combination with other elements, “a non-structural substrate carrier.” To transform the “door module having structural carrier” of Kirejczyk and the door wiring harness connecting structure of Kameyama into a “door module kit” as recited in independent claim 1 would require still further modification, and such modification is taught only by the Applicant’s own disclosure. The suggestion to make the combination of Kirejczyk and Kameyama has been taken from the Applicants’ own specification using hindsight, which is improper. Applicants submit that one ordinarily skilled in the art would not be compelled to look to Kirejczyk to obtain that which is disclosed and claimed in the present application since Kirejczyk teaches a “structural carrier” and not a “non-structural carrier” as claimed in independent claim 1 and independent claim 23.

The “door module kit” recited in independent claim 1, considered as a whole, would not have been obvious in view of Kirejczyk and Kameyama. The rejection of claim 1 over Kirejczyk and Kameyama under 35 U.S.C. §103(a) is improper. Therefore, claim 1 is patentable over Kirejczyk in view of Kameyama. Further, since as stated above, independent claim 23 is patentable over Kirejczyk, claim 26 which depends from independent claim 23 is also patentable. Dependent claims 2-8 which depend from independent claim 1 are also patentable. See 35 U.S.C. §112, ¶4.

Applicants respectfully request withdrawal of the rejection of claims 1-8 and 26 under 35 U.S.C. §103(a).

On pages 4 and 5 of the Office Action, in paragraph 10 the Examiner has rejected claim 15 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk in view of Nishikawa et al.

In paragraph 11 of the Office Action, the Examiner has rejected claims 16-18 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk in view of Nishikawa et al. as applied to claim 15 above and further in view of Kameyama.

In paragraph 12 of the Office Action, the Examiner has rejected claim 19-22 under 35 U.S.C. §103(a) as being unpatentable over Kirejczyk in view of Nishikawa et al. as applied to claim 15 above and further in view of Yazaki Corp. Claims 16-22 depend from independent claim 15.

Claim 15 is in independent form and recites a “door module kit” comprising, in combination with other elements, “a non-structural substrate carrier having a first interface member and an integrally molded impact absorber.”

Kirejczyk, as stated above, is directed to a “door module having structural carrier.” (See Title) Kirejczyk refers to a door module having a “structural carrier” throughout the specification. (See at least col. 1, lines 38-40, col. 3, lines 19-20 and col. 3, lines 50-53.)

The “door module kit” recited in independent claim 15 would not have been obvious in view of Kirejczyk, alone or in any proper combination with Nishikawa, Kameyama or Yazaki Corp. under 35 U.S.C. §103(a). Kirejczyk, alone or in any proper combination with Nishikawa, Kameyama or Yazaki Corp. does not disclose, teach or suggest a “door module kit” including a “non-structural substrate carrier having a first interface member and an integrally molded impact absorber” as disclosed and claimed in independent claim 15. To transform the door module having a structural carrier of Kirejczyk and the “door wiring harness connecting structure” of Kameyama or the “vehicle door” of Nishikawa or the “door modular structure” of Yazaki Corp. would require still further modification, and such modification is taught only by the Applicants’ own disclosure. The suggestion to make the combination of Kirejczyk and the other cited references has been taken from the Applicants’ own specification (using hindsight) which is improper.

The “door module kit” recited in independent claim 15, considered as a whole, would not have been obvious in view of Kirejczyk and/or the other cited references. The rejection of claim 15 over Kirejczyk in view of the other cited references under 35 U.S.C. §103(a) is improper. Therefore, claim 15 is patentable over Kirejczyk in view of any proper combination with Kameyama, Nishikawa, or Yazaki Corp.

Dependent claims 16-22 which depend from independent claim 15, are also patentable. See 35 U.S.C. §112, ¶4.

Applicants respectfully request withdrawal of the rejection of claims 15-22 under 35 U.S.C. §103(a).

* * *

It is submitted that each outstanding objection and rejection to the application has been overcome, and that the application is in condition for allowance. Applicants respectfully request reconsideration and allowance of all pending claims 1-8 and 11-23.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for

such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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